

EXHIBIT

“S”

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ADRIAN SCHOOLCRAFT,

Plaintiff,

**Declaration of Zachary
Margulis-Ohnuma**

-against-

THE CITY OF NEW YORK et al,

10 CV 6005 (RWS)

Defendant.

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Zachary Margulis-Ohnuma, an attorney admitted to practice in the State of New York, declares, pursuant to 28 U.S.C. § 1746, under penalty of perjury, as follows:

1. I am the principal attorney of the Law Office of Zachary Margulis-Ohnuma. I submit this Declaration in support of the attorneys' fee application submitted in the above-captioned matter by plaintiffs' counsel, Gerald M. Cohen and Joshua P. Fitch, the partners at Cohen & Fitch LLP, attorneys whom I have known for approximately ten years.

2. I received my law degree from New York University School of law in 1999. I am a member in good standing of the New York State bar and am admitted to practice in the United States Supreme Court, the Second and Third Circuit Courts of Appeals, and the Southern, Eastern and Northern Districts of New York. Upon graduation from law school, I was served as a clerk for the Honorable Andrew J. Peck in the United States District Court for the Southern District of New York. Thereafter, in 2002, I began working in the litigation department for the large New York firm of Weil, Gotshal & Manges where I participated in the defense of numerous multimillion dollar corporations in state and federal court. Following my time there I went on to work at the white-collar criminal defense boutique firm of Hafetz & Necheles where I

handled high-profile federal and state criminal matters before eventually establishing my own practice in 2004. In my practice, I regularly try criminal and civil cases in both federal and state court. I am a member of the Criminal Justice Act ("CJA") panels for the Southern and Eastern Districts of New York.

3. Additionally, I regularly litigate federal civil rights actions brought pursuant to 42 U.S.C. § 1983 in federal court. For example, in the case of *Tatum v. City of New York et al.*, 06 CV 4290 (PGG)(GWG) (June 29, 2009) my client received a one million dollar jury award in a federal civil rights action involving an inmate injured while incarcerated at Rikers Island. Mr. Tatum was also granted attorney's fees in the amount of \$321,788.12. More recently, I have won appeals on behalf of victims of official misconduct in *Estate of Jaquez v. City of New York*, 541 Fed. Appx. 76 (2d Cir. Oct. 17, 2013) and *Crawford v. Cuomo*, 796 F.3d 252 (2d Cir. August 11, 2015).

4. I have worked on several matters with both of the partners of Cohen & Fitch LLP on several occasions. I have referred civil rights matters to them and received referrals from them.

5. I have always been impressed by how both Gerald M. Cohen and Joshua P. Fitch conducted themselves. They are well-prepared, knowledgeable and a credit to federal civil rights practice. They have always presented themselves with utmost professionalism and have proved to be skilled litigators. Their knowledge of the intricacies of the law of 28 U.S.C. § 1983 – which is at least as complex and nuanced as any other area in which I have practiced – is both broad and deep. Their integrity and efforts to work efficiently on behalf of their clients is beyond question.

6. Accordingly, based upon my fifteen (15) years of experience as a lawyer practicing in Federal Courts throughout New York, I support both Gerald M. Cohen's and Joshua P. Fitch's

requested hourly rates of \$500 as reasonable, and in line with the prevailing rates for an attorney of their caliber, experience and reputation in the Eastern District of New York.

DATED: New York, New York
November 18, 2015



ZACHARY MARGULIS-OHNUMA